

**DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN  
APPLICATION DATA SHEET (37 CFR 1.76)**

Title of Invention

*Surgical Stapler with Removable Staple Cartridge*

As the below named inventor(s), I/we declare that:

This declaration is directed to:

- The attached application, or  
 Application No. \_\_\_\_\_, filed on \_\_\_\_\_,  
 as amended on \_\_\_\_\_ (if applicable);

I/we believe that I/we am/are the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought;

I/we have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above;

I/we acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me/us to be material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT International filing date of the continuation-in-part application.

All statements made herein of my/own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.

FULL NAME OF INVENTOR(S)

Inventor one: *Curtis W. Thornton*Signature: *Curt W. Thornton* Citizen of: *USA*Inventor two: *Alberto Diaz*Signature: *(Signature)* Citizen of: *USA*

Inventor three: \_\_\_\_\_

Signature: \_\_\_\_\_ Citizen of: \_\_\_\_\_

Inventor four: \_\_\_\_\_

Signature: \_\_\_\_\_ Citizen of: \_\_\_\_\_

Additional inventors or a legal representative are being named on \_\_\_\_\_ additional form(s) attached hereto.

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1 minute to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

*If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.*

## ASSIGNMENT OF PATENT

Whereas, I, Alberto Diaz referred to as patentee, did obtain a United States Patent for an improvement in Surgical Stapler with Removable Staple Cartridge No. \_\_\_\_\_, dated \_\_\_\_\_, and, whereas I am sole owner of said patent, and,

Whereas, Dale Kosted, D.V.M. of \_\_\_\_\_ hereinafter, referred to as "assignee" whose mailing address is

3502 King St., ENID, OK 74035, and State of OKlahoma is desirous of

acquiring the entire right, title, and interest in the same;

Now, therefore, in consideration of the sum of One dollars (\$1,00), the receipt whereof is acknowledged, and other good and valuable consideration, I, the patentee, by these presents do sell, assign, and transfer unto said assignee the entire right, title, and interest in and to the said Patent aforesaid; the same to be held and enjoyed by the said assignee for his own use and behoof, and for his legal representatives and assigns, to the full end of the term for which said Patent is granted, as fully and entirely as the same would have been held by me had this sale and assignment not been made.

Executed this 14th day of August, 2003 at Johnston County, N.C.

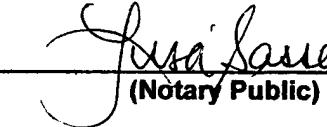
  
(Signature)

Alberto Diaz

State of North Carolina) SS:  
County of Johnston)

Bef re Me personally appeared said Alberto Diaz  
and acknowledged the foregoing instrument to be his free act and deed this 14th day of  
August 2003

S al

  
(Notary Public) Jessie Lauer Exp 11/18/06

## ASSIGNMENT OF PATENT

Whereas, I, Curtis W. Thornton referred to as patentee, did obtain a Unit d States Patent for an improvement in Surgical Stapler with Removable Staple Cartridge No. \_\_\_\_\_, dated \_\_\_\_\_, and, whereas I am sole owner of said patent, and,

Whereas, Dale Kosted, D.V.M. of 3502 King St., ENID, OK 73701 hereinafter, referred to as "assignee" whose mailing address is

ENID, and State of OKlahoma is desirous of acquiring the entire right, title, and interest in the same; Now, therefore, in consideration of the sum of ONE dollars (\$1.00), the receipt whereof is acknowledged, and other good and valuable consideration, I, the patentee, by these presents do sell, assign, and transfer unto said assignee the entire right, title, and interest in and to the said Patent aforesaid; the same to be held and enjoyed by the said assignee for his own use and behoof, and for his legal representatives and assigns, to the full end of the term for which said Patent is granted, as fully and entirely as the same would have been held by me had this sale and assignment not been made.

Executed this 15th day of August, 2003 at Forsyth County, North Carolina

Curtis W. Thornton  
(Signature)

State of North Carolina, County of Forsyth) SS:  
Before Me personally appeared said Curtis W. Thornton and acknowledged the foregoing instrument to be his free act and deed this 15 day of August, 2003

Seal

Glenda Owens  
(Notary Public)

